

What the U.S. Military Can Do To Make a Difference

- ◆ **Use the Defense Task Force on Domestic Violence.** Review, evaluate, support, and enhance the efforts of the U.S. Department of Defense (DOD) to end domestic violence.
- ◆ **Establish a task force to address acts of sexual assault.** Create a complementary body to the Defense Task Force on Domestic Violence to address acts of sexual assault that occur within the military or are committed by service personnel.
- ◆ **Assess the incidence of sexual assault, dating and domestic violence, and stalking among unmarried military members and their intimate partners.** Continue to identify and evaluate any policies or practices within units that directly or indirectly encourage activities that compromise women's safety.
- ◆ **Improve coordination between the military and civilian communities.** Implement a coordinated community response to crimes that involve sexual assault, including forced prostitution, dating and domestic violence, and stalking committed on and off the military base.
- ◆ **Enhance and continue to use military intervention to address and eliminate domestic violence at its early stages.** Work collaboratively with military and civilian communities to improve intervention and prevention efforts.
- ◆ **Continue to teach command and service members how to prevent unauthorized use of violence throughout their active duty service.** Stress that strong leadership is needed at every level to strengthen the training and management of personnel.
- ◆ **Ensure that trained victim advocates are available on every installation and that women on military bases also have access to victim advocates from the local civilian community.** Publicize the availability of civilian and military sexual assault and domestic violence hotlines and crisis intervention services throughout every installation.
- ◆ **Continue to offer victims and offenders multidisciplinary interventions.** Recommend additional resources and funding or the redirection of existing resources.
- ◆ **Record all reported cases of sexual assault, dating and domestic violence, stalking, and military personnel involvement with women in forced prostitution in an appropriate DOD database.** Review recordkeeping efforts and recommend ways to improve how cases involving violence against women are tracked.

Chapter 15

The Role of the U.S. Military in Preventing and Responding to Violence Against Women

The U.S. Department of Defense (DOD) has the unique responsibility of preserving national security. Civilians or women within the military who are victimized by military personnel are seriously affected. Such incidents of victimization are also detrimental to unit morale, unit cohesion, and military readiness. DOD's role in preventing violence against women and responding to general concerns for the safety, health, and justice of its service members contributes to securing the national defense.

The ever-changing arena of national defense has increased the United States' participation in peace-keeping missions and community-building initiatives abroad. As a result, military personnel have more diverse responsibilities. This means that the military's attitudes, policies, and procedures and the actions of service personnel often are highly visible to the foreign communities in which personnel work and live. Military commanders, the Family Advocacy Program staff, military police, and other military personnel should continue to seek opportunities to collaborate with their civilian counterparts in the United States and abroad to increase the safety and well-being of women.

The military has undertaken significant initiatives to end violence against women. For example, DOD has led efforts to ensure that disparaging and derogatory comments related to race and gender are not tolerated. In addition, DOD has created the Family Advocacy Program (FAP) and family centers. FAP conducts an annual public awareness campaign at every installation in October (during National Domestic Violence Awareness Month) and a range of year-round efforts to prevent

domestic violence. FAP, which includes clinically licensed professionals trained in family violence, is responsible for ensuring victim safety and access to support and advocacy services and that abusers receive appropriate intervention services. DOD policies and FAP standards require coordination between FAP, law enforcement, and commanders to ensure program effectiveness.

Two of the challenges DOD policymakers face include dealing with 1) the fears that military spouses and female service personnel have about reporting incidents of sexual assault, dating and domestic violence, and stalking and 2) important definitional issues.

Many spouses fear reporting violent incidents because they feel the report will affect their husbands' chance for promotions and pay increases or will result in their husbands' discharge. To help reduce the economic disincentive that discourages victims from reporting abuse by a service member, Congress authorized DOD in 1993 to provide financial support and other benefits to spousal abuse victims. DOD provides transitional compensation for up to 36 months to family members when a service member is discharged from the military or has been court-martialed for abusing a family member. The monthly compensation is based on the service member's salary, medical and dental benefits, and commissary and exchange benefits. If the discharged or court-martialed service member was eligible for retirement pay at the time of separation, the spouse retains eligibility for a share of the former service member's benefits. DOD also can pay the spouse the portion for which the spouse is eligible in a

divorce, separation, or annulment proceeding in lieu of transitional compensation, at the spouse's option.

Definitional issues that exist also need to be resolved. DOD's FAP uses the term "spousal abuse" to refer to assault, battery, threat to injure or kill, other acts of force or violence, and emotional maltreatment committed by one spouse against another. FAP's definition—created as a framework for providing services to family members within the military—does not refer to violence between unmarried intimate partners and therefore significantly limits the FAP's response. The term "domestic violence" is used throughout this section to describe violence between married and unmarried intimate partners.

FAP offers services and interventions to victims of violence and to abusers and sex offenders.¹ In addition, FAP engages in various research, prevention, data collection, and training activities and brings commanders, medical corps members, Staff Judge Advocates, investigators, and others together to coordinate their efforts. The military can and does intervene and assist victims at earlier stages of violence than might be possible for victims in civilian settings. The commanding officer may be privy to information about service members' personal affairs because of the social climate of the military. As a result, the commanding officer can be an integral part of the military's efforts to identify and respond to incidents of violence against women. This reality, however, also raises concern about the scope of confidentiality as it relates to incidents of violence against women in military settings.

If military and civilian communities work collaboratively, they can significantly improve intervention and prevention efforts, especially in cases that involve both civilians and service members. Unit commanders, military police, and local judges, prosecutors, law enforcement, and the victim advocacy community bear the responsibility of creating protocols for communication and cooperation. Comprehensive, multilevel training is an essential component of this process.

Strong leadership also is needed at every level—from senior public officials at the Pentagon to senior nonenlisted officers and other command—to strengthen the training and management of personnel (including command) on issues of sexual assault, domestic violence, and stalking. An additional challenge is to develop and implement appropriate responses to situations of trafficking in persons and forced prostitution that military personnel—especially those stationed abroad—may encounter.

In its intervention and prevention efforts, DOD has called on civilian experts and participated in training programs to adapt civilian concepts to the military context. However, state and local civilian policies, procedures, and programs that relate to violence against women are not always directly applicable in the military. The constitutional allocation of powers between the Federal Government and states, the requirements of treaties (Status of Forces Agreements), the Uniform Code of Military Justice, federal laws, the role of the commander, and the culture of the military all have an impact on the way the military responds to violence against women. In addition, each of the armed services has different structures and methods of response that reflect their different missions. These factors create both opportunities and challenges to efforts to respond to sexual assault, dating and domestic violence, and stalking.

The Defense Task Force on Domestic Violence

The Defense Authorization Act for fiscal year 2000, signed into law in October 1999, established a task force on domestic violence in the military. The Defense Task Force on Domestic Violence (Task Force) submitted to the Secretary of Defense in February 2001 a strategic plan detailing how to address matters relating to domestic violence in the military more effectively. The plan includes an assessment of and recommendations for measures to improve the following:

- ◆ Ongoing victims' safety programs.
- ◆ Offender accountability.
- ◆ The climate for effective prevention of domestic violence.
- ◆ Coordination and collaboration among all military organizations with responsibility or jurisdiction with respect to domestic violence.
- ◆ Coordination between military and civilian communities with respect to domestic violence.
- ◆ Research priorities.
- ◆ Data collection.
- ◆ Curriculums and training for military commanders.
- ◆ Prevention of and response to domestic violence at overseas military installations.
- ◆ Other issues related to domestic violence within the military that are identified by the Task Force.

Outlined below are specific actions that DOD and the Task Force can take to reduce and eliminate violence against women in the military. Each action can be adapted to address unique issues that each department and its respective organizations may face.

The Role of the Defense Task Force on Domestic Violence

1. Review, evaluate, support, and enhance the efforts of DOD to provide programs and services to women who are victims of violence.

- ◆ Evaluate current definitions of spousal abuse, and recommend modifications so that unmarried couples (one or both of whom are active members of the military) experiencing violence can receive more effective services and interventions.
- ◆ Assist the existing DOD working group to clarify and modify, as necessary, DOD's policy regarding the scope of confidentiality in domestic violence cases.
- ◆ Review the current approaches to domestic violence (including sexual assault and stalking that occur within the context of domestic violence)

that branches of the armed services use to determine which programs are effective, need further evaluation, or could benefit from improvement.

- ◆ Review and evaluate the adequacy of resources and funding allocated to develop, evaluate, implement, and monitor military programs to improve and standardize the response to domestic violence throughout the armed services. Recommend additional resources and funding, as necessary.
- ◆ Recommend methods for improving collaboration and coordination between the military and civilian communities on issues related to sexual assault, dating and domestic violence, and stalking. Include social workers, mental health professionals, emergency room personnel, other health care providers, law enforcement officers, victim/witness assistance liaisons, and off-base service providers such as victim safety programs and batterer intervention programs.
- ◆ Explore how commanders address and balance the needs of service members undergoing or in need of intervention services for domestic violence.
- ◆ Identify strategies to make all military personnel aware of the National Domestic Violence Hotline and strengthen collaboration between military communities and national, state, and local hotlines. Determine whether a hotline needs to be established specifically for service members.
- ◆ Review recordkeeping efforts and the tracking of cases of domestic violence throughout the armed services, and recommend new or improved solutions.

Improve the Military's Response to Sexual Assault

2. Establish a complementary body to the Task Force to address acts of sexual assault that occur within the military or are committed by service personnel.

- ◆ Appoint experts in sexual assault to this body.
- ◆ Ask this sexual assault task force to review procedures for reporting, investigating, and

prosecuting sexual assault cases involving service personnel (as victims or perpetrators); examine the availability of specialized counseling and advocacy services for victims and survivors of sexual assault; identify research priorities; assess the effectiveness of current prevention and risk-reduction programs; and perform related tasks.

Strengthen Policies and Procedures Related to Violence Against Women

3. Enhance policy development and implementation related to violence against women.

- ◆ Expand efforts to ensure that trainers and commanders respond to disparaging and derogatory comments, chants, and cadences related to race, gender, or sexuality in a way that reinforces that such behavior is unacceptable.
- ◆ Take appropriate measures to protect victims and hold offenders accountable even if offenders receive a permanent change of station.
- ◆ Consider policies that provide transitional compensation for spouses of military personnel who are victims of domestic violence.

4. In cases involving military personnel and civilians residing off base or committing offenses off base, develop policies and procedures to coordinate the efforts of civilian authorities and community-based service providers.

- ◆ Develop procedures to ensure that copies of protection orders issued in civilian courts involving a service member are provided to military law enforcement and the member's commander.
- ◆ Before recommending appropriate military action in such cases, ensure that Staff Judge Advocates consult with civilian authorities to determine the most effective means for holding the offender accountable (whether civilian sanctions, military sanctions, or a combination of both).
- ◆ In cases that involve protection orders against service members, consider issuing a written protection order parallel in content to the civilian protection order, including no-contact

provisions. Consider including language in the order that limits the service member to the base during the pendency of the no-contact order or until a civilian protective order can be processed.

5. Strengthen recordkeeping systems to ensure that commanders are aware of military personnel who have committed acts of violence against women.

- ◆ Record reported cases of sexual assault, domestic violence, stalking, and military involvement with women in forced prostitution in an appropriate DOD database. Develop and implement procedures to ensure that databases contain accurate and complete information and prohibit unauthorized access or disclosure of information.
- ◆ Ensure that those involved in the investigation and prosecution of incidents of violence against women have access to accurate and complete databases, such as the FAP Central Registry and civilian and military law enforcement agency records, to ascertain whether any previous incidents occurred and to notify unit commanders of these prior incidents, as appropriate.
- ◆ Reflect all disciplinary actions taken on forwarded personnel records of a transferring service member, in accordance with military department regulations. Forward FAP records or the report of the complete investigation to the gaining installation when a service member is reassigned while under investigation or while receiving interventions through FAP.

Expand and Improve Training on Violence Against Women

6. Continue to train service members to prevent unauthorized use of violence throughout their active duty service, including training designed to prevent sexual assault, domestic violence, and stalking.

- ◆ Continue to conduct training on violence against women in consultation with experts from the military and civilian communities for all levels of military personnel.
- ◆ Design training programs to increase service members' understanding of the incidence, prevalence, and impact of violence against

women. Include information about services and advocacy available to victims, intervention programs available to perpetrators, and all policies and procedures that ensure victim safety and well-being and offender accountability, including procedures for reporting incidents and sanctions for violations.

7. Continue to provide ongoing training to all personnel involved in the investigation and prosecution of cases that involve violence against women.

- ◆ Provide joint training to unit commanders, military police, prosecutors and military attorneys, and investigators on the impact of sexual assault, domestic violence, and stalking on women and their children. Supply methods for building and presenting evidence-based cases and working with victims in ways that are sensitive to their fears and concerns. Demonstrate how their efforts on base and in coordination with civilian law enforcement officers, attorneys, and courts can increase victim safety in their communities.
- ◆ When possible, provide such training in joint sessions with local civilian criminal and civil court judges, local prosecutors, and senior civilian law enforcement officials.
- ◆ Continue to train all military treatment facility (MTF) staff on the use of rape kits to examine the victim and collect evidence in sexual assault cases and to collect other physical evidence in cases involving violence against women.

8. Prepare all commanders in each branch of the armed services to work effectively with FAP and Judge Advocate General (JAG) attorneys, make decisions that are responsive to the safety and well-being of victims, and ensure offender accountability.

- ◆ Ensure that all commanders work closely with FAP, mental health programs, and civilian and military criminal investigative agencies to inform their decisionmaking processes when determining service member responsibility and actions needed.
- ◆ Teach commanders, MTF personnel, and senior noncommissioned officers how to use current or innovative materials to identify and intervene

(in the military context) in cases of violence against women and respond to reported cases of violence against women.

- ◆ Educate all base chaplains about the unique dynamics of sexual assault and domestic violence, best practices in helping victims to reduce their fear and anxiety and to plan for their physical safety, and the importance of maintaining victim confidentiality.
- ◆ Incorporate presentations or materials, as appropriate, from community-based sexual assault and domestic violence advocates, mental health providers, batterer intervention program leaders, and child protective services representatives.

9. Train relevant military personnel, particularly those stationed overseas, on the violence and coercion used in the global trafficking in women and girls, how to avoid engaging in activities with sex workers who are victims of these illegal activities, and procedures for identifying and reporting trafficking in persons and forced prostitution.

- ◆ Involve experts in trafficking in the design and implementation of this training.

Enhance Coordination of Intervention Efforts on Military Installations

10. Continue to offer multidisciplinary interventions to victims and offenders via FAP, health and mental health professionals, and other relevant service providers.

- ◆ Use current mechanisms for program evaluation such as the Inspector General and the General Accounting Offices to examine FAP and related programs every 1–5 years.

11. Develop culturally competent interventions for victims and perpetrators of violence against women within the military system, paying careful attention to the victim and offender relationship.

- ◆ Develop clear definitions and program guidelines when designing interventions to protect women from sex offenders, batterers, and stalkers.
- ◆ Continue efforts to ensure that trained victim advocates are available on every installation.

Provide victims with a comprehensive list of confidential counseling, advocacy, and support services and confidential assistance in accessing health and safety resources.

- ◆ Widely disseminate information to service members about the availability of national, state, and local crisis hotlines and community-based and military crisis intervention services.
- ◆ Teach the personnel of national hotlines and community-based programs about the military's policies and programs that relate to violence against women.
- ◆ Integrate assessment of domestic violence by trained staff into military home visitation programs (such as family support programs) for at-risk parents.

Military and Civilian Collaboration and a Coordinated Community Response

12. Implement a coordinated community response for responding to sexual assault, domestic violence, and stalking.

- ◆ Include military and civilian service members, health care providers, and others to whom service members or their families turn for support, such as base- and community-based religious leaders. Ensure that issues of confidentiality are adequately addressed in coordinated community response policies and protocols.
- ◆ Establish a memorandum of understanding between MTFs and local hospitals to handle military cases of sexual assault if services cannot be provided on base. Include protocols to ensure that medical and mental health records are kept confidential.

Expand Research on Violence Against Women in the Military

13. Evaluate the feasibility of collaborative military and civilian research teams to study violence against women in the military.

- ◆ Develop mechanisms to evaluate and coordinate the efforts of government, military, and private sector researchers in joint projects to evaluate

the military's responses to violence against women.

- ◆ Conduct additional analyses on central registry data, which are rich sources of historical information about abuse cases, to support program planning and targeting of services.
- ◆ Conduct additional prevalence studies to determine the extent of unreported cases of sexual assault, domestic violence, and stalking.
- ◆ Determine and address the incidence of sexual assault, domestic violence, and stalking among unmarried military members and their intimate partners.
- ◆ Review domestic violence fatalities in the military to identify what procedures could have reduced the possibility of a homicide.
- ◆ Increase analysis of interventions used to reduce violence against women.
- ◆ Continue to evaluate efforts to educate service members about policies regarding violence against women.
- ◆ Conduct studies to help DOD make modifications to policies that relate to confidentiality and the reporting of sexual assault, domestic violence, and stalking incidents.

Resources

Center for Women Veterans

Department of Veterans Affairs

810 Vermont Avenue NW.

Washington, DC 20420

Phone: 202-273-6193

Fax: 202-273-7092

Web site: www.va.gov/womenvet

The Center for Women Veterans works to ensure that women veterans receive benefits and services equal to those received by male veterans, encounter no discrimination in their attempts to access these services, and are treated with respect and dignity by Department of Veterans Affairs (VA) service providers. Services include outreach to women veterans, health care, sexual trauma counseling, readjustment counseling, and information about and assistance with VA services and

benefits. Women Veterans Coordinators at each VA medical center and regional office are available to help women veterans access their benefit entitlements and counsel women veterans seeking treatment and benefits.

Criminal Justice Center

Battered Women's Justice Project
4032 Chicago Avenue South
Minneapolis, MN 55407
Phone: 612-824-8768
Fax: 612-824-8965

The Criminal Justice Center of the Battered Women's Justice Project promotes interagency coordination and policy development to enhance justice for battered women and their children. In addition to guidance on arrest, prosecution, sentencing, victim safeguards, and batterer's intervention programs, the center also handles information on advocacy for victims of military personnel.

Defense Task Force on Domestic Violence

1401 Wilson Boulevard, Suite 500
Arlington, VA 22209
Phone: 703-696-9395
Fax: 703-696-9437
Web site: www.dtic.mil/domesticviolence

The Defense Task Force on Domestic Violence was established in 2000 and is congressionally mandated to evaluate domestic violence programs and policies in DOD and the military. Its overall goal is to link the military and civilian communities to improve, strengthen, or coordinate prevention and response efforts for domestic violence involving service members. Membership includes military and civilian personnel.

The Miles Foundation

P.O. Box 423
Newtown, CT 06470-0423
Phone: 203-270-0688
Hotline: 1-877-570-0688
Fax: 203-270-0688
Web site: hometown.aol.com/milesfdn/myhomepage/index.html

The Miles Foundation is a nonprofit organization serving military personnel, civilian and former spouses, intimate partners, and children, providing support services to victims of violence perpetrated by or upon military personnel. Services include advocacy, referrals, financial support, protective order documentation and service, development of victim safety plans and impact statements, engagement of witness protection programs, and professional education, including a training that describes the best way to support victims of violent acts. Its recent publication, *Intimate Partner Violence and the Military: A Victim's Handbook*, can be obtained by contacting the foundation.

Military Family Resource Center

4040 North Fairfax Drive
Arlington, VA 22203-1635
Phone: 703-696-9053
Fax: 703-696-9062
E-mail: mfrc@hq.odedodea.edu
Web site: www.mfrc.calib.com

The Military Family Resource Center (MFRC) provides information to policymakers and program staff on DOD military family policies and programs. MFRC includes the National Clearinghouse for the Military Child Development Program. The MFRC Web site lists new publications, policies, and events; provides up-to-date information on military family issues; and includes online publications and resources.

The Minerva Center

20 Granada Road
Pasadena, MD 21122
Phone: 410-437-5379
Web site: www.minervacenter.com

The Minerva Center is a research and education facility that teaches people about women in war and women in the military. The center publishes two periodicals a year—the only ones in the world that specifically deal with women who serve in the military. The Minerva Center also provides Internet support groups and a listserv that supports women's military studies and prepares seminars

and support materials on such topics as the history of women in combat, women in international terrorism and low-intensity conflict, and archival preservation and collection of oral histories and autobiographies.

National Military Family Association

6000 Stevenson Avenue, Suite 304
Alexandria, VA 22304-3526
Phone: 703-823-NMFA
Fax: 703-751-4857
Web site: www.nmfa.org

The National Military Family Association (NMFA) was created by wives and widows of military personnel who were seeking financial security; their efforts led to creation of the Survivor Benefit Plan. In recent years, NMFA membership has expanded to include families of military personnel. NMFA efforts focus on improvements in the quality of military family life. NMFA programs educate military families, the public, and Congress on the rights and benefits of military families.

National Organization for Victim Assistance

1757 Park Road NW.
Washington, DC 20010
Phone: 202-232-6682
Fax: 202-462-2255
Web site: www.try-nova.org

The National Organization for Victim Assistance (NOVA) provides victim and witness assistance for criminal justice and mental health professionals, advocates, researchers, victims and survivors,

and related professionals. NOVA works to promote rights and services for victims of crime worldwide through national advocacy and influence on public policy, direct services to victims, assistance to professional colleagues, and membership benefits including an annual conference, a monthly newsletter, informational bulletins, and opportunities for networking and collaboration.

National Training Center on Domestic and Sexual Violence

2300 Pasadena Drive
Austin, TX 78757
Phone: 512-407-9020
Fax: 512-407-9022
Web site: www.ntcdsv.org

The National Training Center on Domestic and Sexual Violence provides consultation and training (including national and regional conferences), helps government decisionmakers develop and evaluate policies and programs, and promotes collaboration among government agency staff, victim advocates and service providers, university researchers, and related professionals in working to end domestic and sexual violence. The Web site includes a calendar of training sessions throughout the United States.

Endnote

1. FAP is designed to prevent and treat child and spousal abuse in accordance with DOD Directive 6400.1.